DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT Case No. C 07-05696 MEJ

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1	Additional Attorneys for Plaintiffs, who will submit applications for admission <i>pro hac vice</i> :
2	Patrick J. Solomon, NY Attorney No. 2716660
3	Annette Gifford, NY Attorney No. 4105870 DOLIN, THOMAS & SOLOMON LLP
4	693 East Avenue Rochester, NY 14607
5	Telephone: (585) 272-0540 Facsimile: (585) 272-0574
6	psolomon@theemploymentattorneys.com
7	Charles H. Saul, PA State Bar No.19938 Liberty J. Weyandt, PA State Bar No. 87654
8	MARGOLIS EDELSTEIN 525 William Penn Place
9	Suite 3300 Pittsburgh, PA 15219
10	Telephone: (412) 281-4256 Facsimile: (412) 642-2380
11	csaul@margolisedelstein.com
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1 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE 2 The Plaintiffs in the above-captioned civil matter hereby decline to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby 3 request the reassignment of this case to a United States District Judge. This declination will be 4 served with the complaint. 5 6 Respectfully Submitted, 7 ROSEN, BIEN & GALVAN, LLP 8 Date: November 16, 2007 9 By: /s/ Lori Rifkin Sanford Jay Rosen, State Bar No. 62566 10 Maria V. Morris, State Bar No. 223903 Lori E. Rifkin, State Bar No. 244081 11 315 Montgomery Street, Tenth Floor 12 San Francisco, CA 94104 Telephone: (415) 433-6830 13 DOLIN, THOMAS & SOLOMON LLP 14 Patrick J. Solomon, NY Attorney No. 2716660 Annette Gifford, NY Attorney No. 4105870 15 693 East Avenue 16 Rochester, NY 14607 Telephone: (585) 272-0540 17 MARGOLIS EDELSTEIN 18 Charles H. Saul, PA State Bar No.19938 Liberty J. Weyandt, PA State Bar No. 87654 19 525 William Penn Place, Suite 3300 20 Pittsburgh, PA 15219 Telephone: (412) 281-4256 21 Attorneys for Plaintiff 22 23 24 25 26

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